

FILE NO.: Z-9039

NAME: PB General Holdings, Short-form PD-C

LOCATION: Located at 2504 Ferndale Cut-off

DEVELOPER:

PB General Holdings, Ferndale, LLC
P.O. Box 22407
Little Rock, AR 72221

SURVEYOR:

Global Surveying
Attn. Paxton Singleton
6511 Heilman Court
Little Rock, AR 72118

AREA: 1.672 acres NUMBER OF LOTS: 1 FT. NEW STREET: 0 LF

CURRENT ZONING: C-3, General Commercial District

ALLOWED USES: General retail

PROPOSED ZONING: PD-C

PROPOSED USE: General Dollar

VARIANCE/WAIVERS: None requested.

BACKGROUND:

Ordinance No. 18,779 adopted by the Little Rock Board of Directors on November 19, 2002, zoned the site to C-3, General Commercial District as a part of the City expanding their zoning jurisdiction to this area as a part of Extraterritorial Planning. The ownership of the property included tracts that were located outside the extraterritorial planning jurisdictional area, and only tracts that were within jurisdictional area were zoned. Uses listed by the applicant included grocery store, convenience store with gas pumps, video rental, deli sandwiches, tobacco sales, and a three (3) bay carwash. All the uses proposed were permitted uses in C-3, General Commercial

Zoning District but the carwash required a CUP (Conditional Use Permit) in the C-3, General Commercial Zoning District. A CUP was approved for the site as well.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The current application is a request to rezone the site to Planned Commercial Development (PCD) to allow the redevelopment of the site with a retail use. The site currently consists of two (2) lots located at 2504 Ferndale Cut-off Road. Lots 1 and 2 of the Ferndale Grocery Addition are currently zoned C-3, General Commercial District with a CUP for a carwash. The buildings have been removed. The applicant is requesting approval of the two (2) lots being combined into one (1) approximately 1.74-acre lot and rezoned to a PCD with a planned use of a single commercial/retail structure.

The City's Future Land Use Plan shows the property in an area planned for commercial uses. Approval of the application to rezone will allow the client to develop this approximately 1.7-acre lot into a 9,939 square foot general merchandise retail store.

The proposed site plan has been designed with one access drive from Kanis Road and one from Ferndale Cut-off Road. The building is designed with the HVAC units on top of the building with screening. The dumpster area will be screened with wood fencing and is located near the rear of the property. The dumpster hours of pick-up will be limited to store hours. The site plan indicates landscape buffers around the south and southeast property lines.

B. EXISTING CONDITIONS:

The former grocery has been removed from the site. The carwash still remains. This area of the County consists of a wide range of zoning and uses including a veterinary clinic, mini-warehouse, a convenience store, and single-family homes constructed on acreage. There is a church located at the southwest intersection of Kanis and Ferndale Cut-off Roads. Across Kanis Road to the west is an area the County uses for storage of equipment.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a few informational phone calls from area residents. All owners of property located within 200-feet of the site were notified of the public hearing. There is not an active neighborhood association located in the area.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Kanis Road is classified on the Master Street Plan as a principal arterial. Dedication of right-of-way to 55 feet from centerline will be required.
2. Ferndale Cut-off Road is classified on the Master Street Plan as a minor arterial. A dedication of right-of-way 45 feet from centerline will be required. At arterial-arterial intersections, an additional 10 feet of right of way should be dedicated for future right turn lane for a distance of 250 feet.
3. A 75 foot radial dedication of right-of-way is required at the intersection of Kanis Road and Ferndale Cut-off Road.
4. With site development, provide the design of street conforming to the Master Street Plan. Construct one-half street improvement to Ferndale Cut Off and Kanis Road with the planned development. The boundary street improvements consist of providing a 12 foot through lane and a 6 foot paved shoulder on both streets.
5. Stormwater detention ordinance applies to this property. Show the proposed location for stormwater detention facilities on the plan.
6. If disturbed area is one (1) or more acres, obtain a NPDES stormwater permit from the Arkansas Department of Environmental Quality prior to the start of construction.
7. Street Improvement plans shall include signage and striping. Public Works must approve completed plans prior to construction.
8. Streetlights are required by Section 31-403 of the Little Rock code. Provide plans for approval to Traffic Engineering. Streetlights must be installed prior to platting/certificate of occupancy. Contact Traffic Engineering, Greg Simmons, gsimmions@littlerock.org or 501.379.1813 for more information.
9. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveways on arterial streets should be located 300 feet from intersections and driveways and 150 feet from the side property line. Kanis Road driveway should be located at the rear property line and shared in the future with the property to the north and a shared access easement should be platted for the driveway. The Ferndale Cut-off driveway should be moved to the side property line and design to be shared in the future with a platted shared access easement. The width of driveways must not exceed 36 feet.

10. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Outside the service boundary, no comment.

Entergy: Entergy does not object to this proposal. A single phase power line exists on the west side of the property along Kanis Road. Two of 3 phase power is available on the south side of the property along Ferndale Cutoff Road. Contact Entergy in advance regarding future service requirements and additional facilities location(s).

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
3. Please submit plans for water facilities and/or fire protection system to Central Arkansas Water for review. Plan revisions may be required after additional review. Contact Central Arkansas Water regarding procedures for installation of water facilities and/or fire service. Approval of plans by the Arkansas Department of Health Engineering Division and the Little Rock Fire Department is required.
4. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
5. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
6. Contact Central Arkansas Water regarding the size and location of water meter.
7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first

point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 501.377.1226 if you would like to discuss backflow prevention requirements for this project.

8. The facilities on-site will be private. When meters are planned off private lines, private facilities shall be installed to Central Arkansas Water's materials and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of a Customer Owned Line Agreement is required.
9. Fire sprinkler systems which do not contain additives such as antifreeze shall be isolated with a double detector check valve assembly. If additives area used, a reduced pressure zone back flow preventer shall be required.
10. This development will have minor impact on the existing water distribution system. Proposed water facilities will be sized to provide adequate pressure and fire protection.

West Pulaski Fire Protection District 23: The West Pulaski Fire Protection District #23 provides fire protection service to the Ferndale area. There is no water system in the Ferndale area and water will have to be provided by a well. Because of this no fire hydrant will be available and the fire department will rely on water shuttle operations in case of a fire to this commercial structure. The Chief requested the developer install a fire sprinkler system. The developer stated the size of the structure was to small to require a sprinkler system. The Chief recommends a fire alarm system be installed in order for a fast response call.

Fire Department: **Maintain Access.**

Fire Hydrants. Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

Fire Hydrants. **Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code.** Section C101 – C105, in conjunction with

Central Arkansas Water (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning:

1. State name and address of the owners of record.
2. Show source of title.
3. Provide name and address of developer.
4. Show state plane coordinates for two property corners.
5. Provide surveyor seal and signature.
6. Show legal description including acreage on site plan.
7. Show contours at max 4' intervals.
8. Show water courses enter and leaving tract.
9. Show adjacent property owners.
10. Provide source of water.
11. Provide sewage disposal approval from Arkansas Department of Health.
12. Show FEMA flood panel information for Tract and comply with any floodplain development requirements.
13. Provide letter of approval from the local fire department.
14. Provide storm drainage plan.
15. Site plan appears to be one parking space short of the 30 space requirement.
16. Pay a \$33.00 review fee to County Planning.

Additional staff comments:

1. Pulaski County Planning and Pulaski County Public Works are accepting the reduced right of way standard (45-feet for Kanis Road and 55-feet for Ferndale Cut-off) allowed by the City of Little Rock's Master Street Plan.
2. Obtain driveway permits from Public Works prior to construction.
3. Comply with ADEQ stormwater requirements during construction.

CATA: The site is not located in an area served by CATA.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: Project is subject to full commercial plan review approval prior to issuance of a building permit. For information on submittal requirements and the review process, contact a commercial plans examiner:

Curtis Richey at 501.371.4724; crichey@littlerock.org or
Mark Alderfer at 501.371.4875; malderfer@littlerock.org.

Planning Division: This request is located in the Buzzard Mountain Planning District. The Land Use Plan shows Commercial (C) for this property. The Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. The applicant has applied for a rezoning from C-3 (General Commercial District) to PDC (Planned District Commercial) to allow the development of a retail building (Family Dollar) on the site.

Master Street Plan: Kanis Road is a Principal Arterial and Ferndale Cut-off Road is a Minor Arterial on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Kanis Road since it is a Principal Arterial. A Minor Arterial provides connections to and through an urban area and their primary function is to provide short distance travel within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Ferndale Cut-off Road. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. A land use buffer six (6) percent of the average width / depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The property to the northwest is zoned R-2. The minimum dimension shall be nine (9) feet. Easements cannot count toward fulfilling this requirement. The plantings, existing and purposed, shall be provided within the landscape ordinance of the City, Section 15-81.
3. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property or the right-of-way of any street. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.

4. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
5. Building landscape areas shall be provided at the rate equivalent to planter strip three (3) feet wide along the vehicular use area. One (1) tree and four (4) shrubs shall be planted in the building landscape areas for each forty (40) linear feet of vehicular use area abutting the building.
6. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
7. An irrigation system shall be required for developments of one (1) acre or larger.
8. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT: (May 13, 2015)

Mr. Paxton Singleton and Mr. Dan Bartlett were present representing the request. Staff presented an over view of the item stating there were additional items necessary to complete the review process. Staff requested Mr. Singleton provide the days and hours of operation for the business. Staff also questioned if the hours of dumpster service would be limited to daylight hours. Staff requested additional information concerning the proposed signage plan. Staff requested the maximum building height and the proposed construction materials. Staff also requested Mr. Singleton provided the maneuvering area for the delivery trucks.

Public Works comments were addressed. Staff stated a dedication of right of way to 45-feet from centerline was required on Ferndale Cut-off. Staff stated an additional ten (10) feet of right of way was to be dedicated as a right turn lane. Staff stated a dedication of right of way to 55-feet from centerline was required along Kanis Road. Staff stated a 75-foot radial dedication of right of way was required at the intersection of the two (2) roads. Staff stated the driveway locations and widths did not comply with the Master Street Plan or Boundary Street ordinance. Staff stated a variance was required to allow the driveway along Ferndale Cut-off Road to exceed 36-feet in width.

Landscaping comments were addressed. Staff stated landscaping was required around the sites perimeters adjacent to vehicular use areas. Staff stated building landscaping was required equivalent to a three (3) foot planter strip adjacent to the building and the vehicular use area. Staff stated an irrigation system to water landscaped areas was required for development of one (1) acre or larger.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan addressing staff's concerns raised at the May 13, 2015, Subdivision Committee meeting. The applicant has provided the proposed signage plan, the proposed construction materials, the hours of dumpster service and the maneuvering area for the delivery trucks.

The hours of operation for the business are from 8 am to 9 pm seven (7) days per week. The dumpster service areas are limited to 8 am to 5 pm Monday through Friday. Deliveries are only during store hours.

The proposed building materials include a front painted CMU to 10-feet with prefinished metal panels to 18-feet 6-inches, the finished height of the building. The street side setbacks are 25-feet. The rear yard setback is 10-feet at the narrowest point and the side yard setback is indicated at 15-feet.

The signage plan proposed includes wall and ground signage. The maximum height of the ground sign is 25-feet. The maximum sign area is 70 square feet. Building signage will be located on the facades abutting the public streets. The building signage will be limited to a maximum of ten (10) percent of the façade area. The building occupies 13.6 percent of the site. Impervious, paving, sidewalks occupy 30.5 percent of the site and 55.9 percent of the site is landscaped.

The site plan indicates 30 parking spaces. The building is proposed containing 9,939 gross square feet of floor area. The parking as indicated is consistent with the typical parking required for a commercial development (one space per 300 gross square feet of floor area).

The request is a rezoning of the site from C-3, General Commercial District to Planned Commercial Development (PCD) to allow the redevelopment of the site with a retail use. The site is currently two (2) platted lots; Lots 1 and 2 of the Ferndale Grocery Addition. Upon approval the two (2) lots will be combined into one (1) lot containing approximately 1.74-acres.

Staff is supportive of the request. The site is located at an arterial/arterial intersection and is indicated on the City's Future Land Use Plan for commercial. The former use of the property, a grocery store, is a similar type use as the current retail use being proposed. To staff's knowledge there are no outstanding technical issues associated with the request. Staff feels the rezoning to PCD to allow the construction of a new retail store is appropriate.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

PLANNING COMMISSION ACTION:

(JUNE 4, 2015)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval subject to the conditions outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 8 ayes, 0 noes and 3 absent.